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Attorneys for Defendant Facebook, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MAXIMILIAN KLEIN, et al., on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

FACEBOOK, INC., a Delaware Corporation
headquartered in California,

Defendant.

Case No. 5:20-cv-08570-LHK

**DECLARATION OF DAVID Z.
GRINGER IN SUPPORT OF
FACEBOOK'S ADMINISTRATIVE
MOTION FOR LEAVE TO FILE REPLY
TO PLAINTIFFS' RESPONSES TO
FACEBOOK'S ADMINISTRATIVE
MOTION FOR CLARIFICATION OF
ORDERS CONSOLIDATING *LOVELAND*
AND *ROSENMAN* WITH *KLEIN***

Judge: Hon. Lucy H. Koh

1 I, David Z. Gringer, declare as follows:

2 1. I am a partner at Wilmer Cutler Pickering Hale and Dorr LLP. I represent
3 Defendant Facebook, Inc. in the above-captioned action.

4 2. Despite numerous emails between counsel for Facebook and counsel for Users and
5 the *Rosenman* and *Loveland* plaintiffs about the issues raised in Facebook's Administrative Motion
6 for Clarification, counsel for Facebook learned of plaintiffs' proposed relief for the first time only
7 when reading plaintiffs' response.

8 3. On November 18, 2021, we emailed counsel for plaintiffs in the *Rosenman* and
9 *Loveland* actions, along with counsel for the User Plaintiffs in *Klein*, and asked whether plaintiffs
10 would stipulate to Facebook's administrative motion for leave to file a reply to plaintiffs' responses
11 to Facebook's administrative motion for clarification of orders consolidating *Rosenman* and
12 *Loveland* with *Klein*. Counsel for Users and counsel for *Loveland* informed us that they oppose
13 the relief sought. As of the filing of this document, counsel for *Rosenman* have not responded.

14 I declare under penalty of perjury that the foregoing is true and correct.

15 Executed on this 18th day of November, 2021 in New York, New York.

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17 By: /s/ David Z. Gringer
18 David Z. Gringer
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